



m1045/0024
cc: Leslie
Task 4043

January 20, 2011

Leslie Heppler
Engineer
Division of Oil, Gas & Mining
P.O. Box 145801
Salt Lake City, Utah 84114-5801

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DIV. OF OIL, GAS & MINING

RE: Coal Pile Disposal and Reclamation
Delle Facility

Dear Ms. Heppler:

This letter is in follow-up to our recent discussions concerning disposal and reclamation of an old coal pile located at the deactivated Delle Facility located in Toole County, Utah. As you are aware, Lhoist North America (aka Chemical Lime Company) (LNA), the owner of the facility, has been conducting reclamation activities for the disturbed areas of the facility for a number of months pursuant to the reclamation plan adopted for the facility. All buildings, structures, railroad tracks, etc. have been demolished and disposed of. Prior to completion of grading, contouring and revegetation of the cleared land, we need to address a coal pile located on the site. Our understanding is that the coal pile has been on the site for approximately 30 years. The pile was there in 1995 when the facility was purchased by Chemical Lime Company. We estimate that the pile contains on the order of 2000 tons of coal.

In our recent conversations we discussed onsite burial of the coal. You identified certain Department of Natural Resources' (DNR) regulations pertaining to the reclamation of refuse piles at coal mines as providing possible guidance for such onsite disposal. In particular, DNR's rules provide at U.A.C. R645-301-553.252 that following final grading of a refuse pile, the coal waste is to be covered with a minimum of four feet of best available, nontoxic and noncombustible material. Less than four feet may be allowed if physical and chemical analyses show that the requirements of certain regulations cited in the rule are met.

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We propose to proceed in this manner. That is, subject to the Division's concurrence, LNA will bury the coal onsite, conduct final grading, and cover the material with a minimum of three feet of chat (stone) and one foot of top soil. We would appreciate the Division's written confirmation that this approach will be acceptable. If you have any questions concerning the foregoing, or would like further information, please let me know. Thank you for your assistance.

Sincerely,

Edward C. Barry
Western Environmental Manager